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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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07/05/2001

Oded Kafri

P-2033-US

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HENRY M. SINAI
(IP-PARTNERSHIP)
P.O. BOX 669
RAANANA, 43350
ISRAEL

EXAMINER

ESCALANTE, OVIDIO

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,982

Applicant(s)

KAFRI, ODED

Examiner

Ovidio Escalante

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on July 24, 2006. **Claims 1-14** are now pending in the present application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg et al. US patent 6,304,636.

Regarding claim 1, Goldberg teaches a method for forwarding a telephone call, (abstract; fig. 2; col. 1, lines 37-47), comprising the steps of:

routing the incoming telephone call to a dedicated server (node 12), said server being associated with an unified messaging system configured to receive voice messages from any one of a group of telephone signaling protocols associated with a PSTN or PBX, (col. 2, lines 10-57,49-54; col. 3, lines 11-14);

identifying the number being dialed, (col. 2, lines 47-49);

said server retrieving at least one email address with said dialed number, (col. 2, lines 10-17);

digitizing the voice message, (col. 3, lines 15-20); and

Art Unit: 2614

forwarding the digitized voice message as an attachment to an email message to said at least one email address via the Internet, (col. 3, lines 23-26).

Regarding claim 2, Goldberg, as applied to claim 1, teaches digitizing the voice message into a wave file, (col. 3, lines 15-18).

Regarding claim 3, Goldberg, as applied to claim 1, teaches storing said voice message in a voice box; and the recipient retrieving said voice message by telephone, (col. 4, lines 10-19).

Regarding claim 4, Goldberg teaches a method for forwarding a telephone call in email message format to a recipient, (abstract; col. 1, lines 37-47; fig. 2), the method comprising the steps of:

the caller dialing a telephone number associated with a dedicated server, (col. 2, lines 49-51), said server being associated with an unified messaging system configured to receive voice messages from any one of a group of telephone signaling protocols associated with a PSTN or PBX, (col. 2, lines 10-27,49-54; col. 3, lines 11-14);

identifying the telephone number of the caller, (col. 2, lines 47-49);

the caller entering the telephone number of the recipient of the telephone call, (col. 2, lines 10-27,49-54; col. 3, lines 11-14);

said server retrieving at least one email address associated with the telephone number of the recipient, (col. 2, lines 10-17);

digitizing the voice message, (col. 3, lines 15-20); and

forwarding the digitized voice message as an attachment to an email message to said at least one email address via the Internet, (col. 3, lines 23-26).

Art Unit: 2614

Regarding claim 5, Goldberg, as applied to claim 4, teaches wherein said step of digitizing comprises the step of: digitizing the voice message into a wave file, (col. 3, lines 15-18).

Regarding claim 6, Goldberg, as applied to claim 4, teaches storing said voice message in a voice box; and the recipient retrieving said voice message by telephone, (col. 4, lines 10-19).

Regarding claim 9, Goldberg, as applied to claim 4, teaches and only if the recipient telephone number is listed as being associated with a registered member, allowing the forwarding of the message, (col. 3, lines 15-26).

4. Claims 10 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Freeman US Patent 6,020,980.

Regarding claim 10, Freeman teaches a method for forwarding a facsimile message in email message format to a recipient, (col. 3, lines 33-37), the method comprising the steps of:

the caller dialing a facsimile number associated with a dedicated server, said server being associated with an unified messaging system configured to receive voice messages from any one of a group of telephone signaling protocols associated with a PSTN or PBX, (col. 6, lines 1-8; col. 7, lines 19-27; col. 11, lines 25-37);

identifying the telephone number of the caller, (col. 10, lines 28-37);

the caller entering the facsimile number of the recipient of the facsimile, (col. 10, lines 28-54);

said server retrieving at least one email address associated with the facsimile number of the recipient, (col. 4, lines 15-24; Table 1; col. 8, lines 37-66);

Art Unit: 2614

converting the facsimile message into a format compatible with email, (col. 4, lines 15-35; col. 9, lines 3-19); and

forwarding the converted facsimile message as an attachment to an email message to said at least one email address via the Internet, (col. 9, lines 3-30).

Regarding claim 14, Freeman, as applied to claim 10, teaches and only forwarding the facsimile message if the recipient facsimile number is a telephone number listed as being associated with a registered member, (col. 9, lines 3-30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman in view of Hyde-Thompson US Patent 5,557,659 .

Regarding claims 7 and 8, Goldman, as applied to claim 4, does not specifically teach verifying whether the caller's telephone number matches the registered telephone number of the

Art Unit: 2614

caller and if the identified telephone number does not match the registered telephone number of the caller, only forwarding the voice message if a correct password and the registered telephone number associated with the caller is verified.

In the same field of endeavor, Hyde Thompson teaches verifying whether the caller's telephone number matches the registered telephone number of the caller and if the identified telephone number does not match the registered telephone number of the caller, only forwarding the voice message if a correct password and the registered telephone number associated with the caller is verified., (col. 15, lines 18-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldman by verifying the caller as taught by Hyde-Thomson so that the message recipient can make sure of the identity of the message sender.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman in view of Bobo II US Patent 5,675,507.

Regarding claim 11, Freeman, as applied to claim 10, does not specifically teach wherein said step of converting comprises the step of: converting the facsimile message into a TIF file. Freeman however suggest that the format is a graphic image file format and thus in would have been obvious to one of ordinary skill in the art to use TIF files for providing a graphic file format file.

Nonetheless, Bobo teaches that it was well know in the art to have facsimile messages converted to TIF files, (fig. 6)

Art Unit: 2614

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Freeman by converting the file using the TIFF format as taught by Bobo so that sufficient quality of the facsimile message can be maintained.

9. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman in view of Hyde-Thompson.

Regarding claims 12 and 13, Freeman, as applied to claim 10, teaches verifying whether the caller's telephone number matches the registered telephone number of the caller and if the identified telephone number does not match the registered telephone number of the caller, further comprising the step of: only forwarding the facsimile message if a correct password and the registered telephone number associated with the caller is verified.

In the same field of endeavor, Hyde Thompson teaches verifying whether the caller's telephone number matches the registered telephone number of the caller and if the identified telephone number does not match the registered telephone number of the caller, only forwarding the voice message if a correct password and the registered telephone number associated with the caller is verified., (col. 15, lines 18-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Freeman by verifying the caller as taught by Hyde-Thomson so that the message recipient can make sure of the identity of the message sender.

Response to Arguments

10. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7537, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 571-272-7537. The examiner can normally be reached on M-Th from 6:30AM to 4:00PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2614

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OVIDIO ESCALANTE
PATENT EXAMINER

Ovidio Escalante

Ovidio Escalante
Primary Patent Examiner
Group 2614
October 13, 2006

O.E./oe